

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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IN RE:

KEIR DAVID PHILLIPS,

Plaintiff

Case No. 3:24-CV-00593-ART-CLB

**ORDER DIRECTING PLAINTIFF TO FILE
CHANGE OF ADDRESS AND NON-
PRISONER *IN FORMA PAUPERIS*
APPLICATION AND DENYING
PRISONER *IN FORMA PAUPERIS*
APPLICATION AS MOOT**

[ECF No. 1]

On December 26, 2024, Plaintiff filed an application to proceed in forma pauperis and civil rights complaint. (ECF No. 1.) That same day, the Court issued an advisory letter to the Plaintiff at his listed address at the Washoe County Detention Center ("WCDC"). (ECF No. 2.) On January 15, 2025, the advisory letter was returned by the WCDC as undeliverable noting that Plaintiff is "not here." (ECF No. at 3.) Thus, it appears Plaintiff is no longer incarcerated at the WCDC. However, Plaintiff has not filed an updated address with this Court. The Court notes that pursuant to Nevada Local Rule of Practice IA 3-1, a "pro se party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number.... Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court." LR IA 3-1. This Court grants Plaintiff 30 days from the date of entry of this order to file his updated address with this Court. If Plaintiff does not update the Court with his current address within 30 days from the date of entry of this order, the Court will recommend dismissal of this action without prejudice.

Additionally, the Court denies the application to proceed *in forma pauperis* for prisoners (ECF No. 1) as moot because Plaintiff is no longer incarcerated. The Court now directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner within 30 days from the date of this order or pay the full filing fee of \$405.

1 Accordingly, **IT IS ORDERED** that Plaintiff shall file his updated address with the
2 Court within **30 days** from the date of this order.

3 **IT IS FURTHER ORDERED** that Plaintiff's application to proceed *in forma pauperis*
4 for prisoners (ECF No. 1) is **DENIED as moot**.

5 **IT IS FURTHER ORDERED** that the Clerk of the Court **SHALL SEND** Plaintiff the
6 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the
7 document entitled information and instructions for filing an *in forma pauperis* application.

8 **IT IS FURTHER ORDERED** that within **30 days** from the date of this order, Plaintiff
9 shall either: (1) file a fully complete application to proceed *in forma pauperis* for non-
10 prisoners; or (2) pay the full filing fee of \$405.

11 **IT IS FURTHER ORDERED** that, if Plaintiff fails to timely comply with this order,
12 the Court shall recommend dismissal of this case without prejudice.

13 **IT IS SO ORDERED.**

14 **DATED:** January 21, 2025.

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16 **UNITED STATES MAGISTRATE JUDGE**
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